

Water Rights Self-Assessment

The owner of the wastewater treatment facility reclaiming the water with a permit issued under Chapter 90.46 RCW has the exclusive right to any reclaimed water generated by the facility. Use and distribution of the reclaimed water is exempted from the water right permit requirements of RCW 90.03.250 and 90.44.061. The following governing principles are used when considering reclaimed water use:

- Match the quality of the water to its use.
- When opportunities are available reuse water should be used for all feasible non-potable uses (RCW 90.54.020).
- Ecology and Health shall promote and support the use of reclaimed water (RCW 90.46.005).
- Reclaimed water shall be used to maintain restore or enhance the quality of the natural environment or fisheries resources (RCW 90.54.020 (2) and (3)).

Reclaimed water should not be diverted from its present discharge point if existing downstream water rights will be impaired unless there is mitigation or compensation. The mitigation or compensation must be agreed to by the holder of the water right. For each reclamation alternative a self administered water rights impairment screening assessment is done except for current discharges to marine waters or land treatment with no infiltration basins. A water rights screening assessment to determine the potential for impairment should include the following elements:

1. Identify all existing downstream water rights
 - Priority date of the water right
2. Determine dependence upon wastewater discharge
 - Date discharge of wastewater first initiated
 - Volume of discharge – initial through present date
 - List any water rights dependent on or specifically listing this discharge as source of water
 - Identify discharges with priority date after wastewater discharge
 - place of use
 - intent or type of use
 - restrictions, conditions or supporting information.
 - status of the existing water right – permit, certificate or claim
 - Priority date of the water right
 - Type of water right (ground or surface water, seasonal, temporary)
 - Qa and Qi
 - Actual perfected use
 - Flow metering or measurement device
 - Records of flow diversion
3. Hydrological Impacts to Beneficial Uses
 - Determine beneficial uses that could be impacted
 - Identify stream reaches and WIRAs
 - Provide map location, river mile location of wastewater discharge
 - Determine impact of wastewater discharge on the in- stream flow.
 - Minimum instream flow – note if established by regulation
 - Average flow
 - Peaking conditions
4. Identify and notify public and potentially impacted downstream water users
 - Public meeting or hearing (discretionary)

5. Mitigation or Compensation

- Respond to all identified impacts
- Determine methods (purchase right, lease, exchange rights, etc.)
- Contractual agreements (date of execution, terms, length – life of reclamation facilities and uses)